

86th Legislative Session – 2011

Committee: Senate Commerce and Energy

Tuesday, February 22, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Adelstein
P Buhl
P Johnston
P Lederman
P Rave
P Nygaard, Vice-Chair
P Nelson (Tom), Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by chair, Senator Tom Nelson.

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 17, 2011

Moved by: Adelstein
Second by: Rave
Action: Prevailed by voice vote.

Dusty Johnson, Chief of Staff, Governor's Office, recommended Pamela Roberts

MOTION: CONFIRM APPOINTMENT OF PAMELA ROBERTS OF HUGHES COUNTY, PIERRE, SOUTH DAKOTA, TO THE POSITION OF SECRETARY OF THE DEPARTMENT OF LABOR

Moved by: Nygaard
Second by: Adelstein
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Adelstein, Buhl, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

SB 180: impose a fee on certain pipelines carrying crude oil and to create a crude oil pipeline compensation fund that may be used in the event of a crude oil spill.

Presented by: Senator Jason Frerichs (Handouts: #2)

Opponents: Dennis Duncan, Trans Canada Corporation

Mark Anderson, State Federation of Labor AFL-CIO, SD (Handouts: #1)

Steve Pirner, Department of Environment and Natural Resources, answered a question

Paul Seamans, Dakota Rural Action, answered a question

MOTION: AMEND SB 180

180ja

On page 2, line 10, of the printed bill, delete everything after "balances." and insert "If the amount paid by a crude oil pipeline company to the fund exceeds thirty million dollars, the secretary shall stop collecting the fee from that company. Any interest earned on the fund balances after the amount of money in the fund attributable to a company exceeds thirty million dollars shall be remitted to the crude oil pipeline company. However, if the balance of the fund falls below five million dollars for such company, the secretary shall resume the collection of the fee.".

On page 2, delete lines 11 to 13, inclusive.

On page 4, after line 11, insert:

" Section 10. If any crude oil pipeline is decommissioned and there are no outstanding obligations or corrective actions, the remaining balance of any fees paid by the crude oil pipeline company to the crude oil pipeline compensation fund shall be returned to the company five years after decommission of the crude oil pipeline.".

Moved by: Adelstein

Second by: Buhl

Action: Prevailed by voice vote.

MOTION: DO PASS SB 180 AS AMENDED

Moved by: Adelstein

Second by: Buhl

Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER SB 180 TO THE 41ST LEGISLATIVE DAY

Moved by: Rave
Second by: Johnston
Action: Prevailed by roll call vote. (5-2-0-0)

Voting Yes: Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

Voting No: Adelstein, Buhl

MOTION: ADJOURN

Moved by: Rave
Second by: Nygaard
Action: Prevailed by voice vote.

Lois Henry
Committee Secretary

Tom Nelson, Chair